

## **Exhibit 4**

# **Changes to Island County Comprehensive Plan**

- 1 B. The best available science and commonly accepted methodologies, using objective  
2 measurable standards and empirical data, will be used to determine if a given area  
3 meets the above definition. Wetland determinations will be made using the criteria in  
4 the Wetlands Delineation Manual adopted by the Department of Ecology pursuant to  
5 RCW 90.58.380.
- 6 C. Existing studies prepared by State and Federal agencies, such as the National  
7 Wetlands Inventory, soil surveys, maps, and other information, will be used to help  
8 identify potential wetland areas.
- 9 D. Site-specific data will be kept and maintained to help identify and protect wetlands.

#### ***Aquifer Recharge Areas***

##### **Definition:**

8 Critical Aquifer Recharge Areas are those areas that do not possess geologic and  
9 hydrogeologic characteristics that limit surface contaminants from entering groundwater  
10 systems. Critical aquifer recharge areas also include areas where an aquifer that is a  
11 source of drinking water is vulnerable to contamination that would affect the potability of  
12 the water.

##### **Designation Criteria:**

Low, medium and high susceptibility.  
(Ord. C-83-05 [PLG-011-05], July 25, 2005)

#### ***Fish and Wildlife Habitat Conservation Areas Overlay***

##### **Definition:**

14 ~~Land management for maintaining species in suitable habitats within their natural~~  
15 ~~geographic distribution so that isolated subpopulations are not created.~~ Land management  
16 for maintaining species in suitable habitats within their natural geographic distribution so  
17 that isolated subpopulations are not created.

##### **Designation Criteria:**

18 Areas outside of the Shorelines Overlay that exhibit the following features:

- 19 A. Areas with which species listed as endangered, threatened, and sensitive by federal or  
20 state government have a primary association.
- 21 B. ~~Streams~~ Lakes, ponds, streams, inland waters, and underground waters, not otherwise  
22 regulated as wetlands.
- 23 C. ~~Commercial and recreational shellfish beds.~~
- 24 D. ~~Kelp and eelgrass beds.~~
- E. ~~Herring and smelt spawning areas.~~
- F. ~~C.~~ State natural area preserves and natural resource conservation areas, and State wildlife  
areas, where established.

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D. ~~In addition, h~~Habitats and species of local importance may ~~be~~when nominated and designated.

The following Fish and Wildlife Habitat Conservation Areas are generally found within the jurisdiction of Island County's Shoreline Master Program:

A. Areas with which endangered, threatened, and sensitive marine species have a primary association.

B. Commercial and recreational shellfish areas.

C. Kelp and eelgrass beds.

D. Herring, smelt, and other forage fish spawning areas.

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### ***Aquifer Recharge Areas***

Goals and policies for aquifer recharge areas may be found in the Water Resources Element of the Comprehensive Plan.

### ***Fish and Wildlife Habitat Conservation Areas Overlay***

#### **Goal:**

**To protect fish and wildlife habitat areas.**

#### **Policies:**

A. ~~Develop specific criteria and processes to nominate, designate and classify habitats and species of local importance.~~ Protect habitats and species designated within the Fish and Wildlife Habitat Conservation Areas Overlay, particularly:

1. Areas with which species listed as endangered, threatened, or sensitive by federal or State governments have a primary association.
2. Lakes, ponds, streams, inland waters, and underground waters.
3. State natural area preserves, natural resource conservation areas, and State wildlife areas.

B. Develop specific criteria and processes to nominate, designate, and classify habits and species of local importance, particularly those habitats and species that are not otherwise protected by federal, State, or local regulations and protection programs, which are vulnerable to loss or alteration. Ensure management recommendations are provided for habitats and species of local importance, and that conservation is monitored over time. In developing and implementing such designation and monitoring efforts consider:

1. Manage to preserve scarce and rare habits, such as prairies and old-growth forests. Consider prairies and their associated flora and fauna for designation as Habitat of Local Importance.
2. Periodically review the list of species and habits identified by State agencies as priority species and habits in the State that occur in Island County and determine if they should be considered Habitats and Species of Local Importance. Such species and habits should be considered for designation as Habitats and Species of Local Importance when it can be shown that there are gaps in other regulations and programs designed to protect priority species and habitats.

C. Ensure natural processes and ecosystem functions are maintained between Fish and Wildlife Habitat Conservation Areas Overlay and the Shorelines Overlay in order to protect marine and freshwater habitats and species, particularly:

1. Areas where endangered, threatened and sensitive marine species have a primary association.
2. Commercial and recreational shellfish areas.
3. Kelp and eelgrass beds.
4. Herring, smelt, and other forage fish spawning areas.

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DB. Periodically review and update designations as new information on species viability and habitat needs becomes available.

EG. Conserve habitats necessary for continued reproductive success of designated species.

1. Protect elements necessary to the survival of designated species, including habitat areas such as nests, breeding areas, nurseries from disturbance during critical life cycle periods.
2. Encourage enhancement of degraded habitat areas.
3. Based on the recommendations of Biological Site Assessment or Habitat Management Plan, provide physical buffers or timing restrictions around specific habitat areas used by designated species commensurate to the seasonal use of the area (where that is the case), the sensitivity of the species and habitat, the relative importance of the species and habitat, and the intensity of proposed and actual uses.
4. Landscaping, screening, or vegetated buffers required through development review should retain, salvage, or re-establish native vegetation.
5. Discourage use of non-native or invasive plant species.
6. Encourage the provision of corridors and networks of native vegetation between protected habitat areas to minimize isolating and fragmenting designated wildlife

habitat. Incorporate natural resource lands supporting uses such as forestry and agriculture into wildlife corridors and networks. The Illustrative Habitat Conservation Concept in the Parks and Recreation Element identifies corridors that include habitats and species as well as public and other conservation lands. Map 2 in Parks and Recreation Element may be consulted in development reviews such as in State Environmental Policy Act documentation and in program implementation such as current use taxation implementation.

7. Consult with state and federal agencies when making wildlife management and protection decisions.
8. Develop and implement programs to restore, rehabilitate, and acquire important habitat areas.

FD. Protect all streams, lakes, ponds, streams, inland waters, marine shorelines, and underground waters.

E. Protect near-shore habitats, including commercial and recreational shellfish areas; kelp and eelgrass beds; herring and smelt spawning areas.

1. Ensure the design of new and replacement on-site sewage systems shall meet the minimum requirements outlined in ICC 8.07C and are designed and located so as to discharge sewage effluent as far as possible from critical areas and their buffers. The design of new and replacement on-site sewage systems shall meet the minimum requirements outlined in ICC 8.07C.

1. Require buffers for new development adjacent to streams and marine habitats.

2. Require buffers for new development adjacent to streams and marine to protect ecological functions. Where critical area protections overlap, the most protective regulations should control. For example, where a stream buffer and a wetland buffer overlap, the regulated buffer should extend to the outer width of the more extensive required buffer.

3. Require preparation of farm plans for new agriculture uses in the Commercial Agriculture land use district.

4. Require implementation of best management practices for new and existing agricultural activities.

GF. Upon approval by the Washington State Department of Ecology, Island County's updated Shoreline Master Program shall be used to protect Fish and Wildlife Habitat Conservation Areas in the Shoreline Overlay including near-shore habitats, including commercial and recreational shellfish areas; kelp and eelgrass beds; herring and smelt spawning areas. Until approved by the Department of Ecology, Fish and Wildlife Habitat Conservation Areas shall be protected by all applicable policies the Comprehensive Plan, and by those regulations contained in Chapter 17.02 ICC. Maps, site-specific studies, and information collected by other agencies available for public review will be made readily accessible to potential and existing landowners, interested citizens, and development interests to aid in the protection of these areas.

1 HG. When a critical area lies in the Shorelines Overlay but its buffer falls outside of  
2 shoreline jurisdiction, the buffer is subject to Fish and Wildlife Habitat Conservation  
3 Areas Overlay policies. Regulation of these areas will take into consideration the  
4 function of the area, the potential environmental costs of alterations, the sensitivity of  
5 the area to disturbance, and the intensity and potential risks associated with a proposed  
6 land use.

7 HH. Proposed uses, activities, and alterations inside the Fish and Wildlife Habitat  
8 Conservation Areas Overlay that impact habitats and species inside shoreline  
9 jurisdiction are subject to Fish and Wildlife Habitat Conservation Areas Overlay  
10 policies, and steps should be taken to minimize, avoid, or eliminate such impacts. When a  
11 violation of the policies and regulations of this area is identified, the enforcement action  
12 and severity of any penalty will be proportional to the nature and circumstances of the  
13 violation and the damage or risk to private and public resources.

14 IJ. Overlay policies and development regulations shall be implemented in addition to those  
15 associated with the underlying land use designation. When there is a conflict in policy  
16 statements or development regulations, the more restrictive shall apply.

17 K. Protect landscape level processes that indirectly or directly affect Fish and Wildlife  
18 Habitat Conservation Areas by implementing low impact development, stormwater,  
19 water quality clearing and grading, steep slope, and tree retention policies, regulations,  
20 and plans.

21 L. Maps, site-specific studies, and information collected by other agencies available for  
22 public review will be made readily accessible to potential and existing landowners,  
23 interested citizens, and development interests to aid in the protection of these areas.

24 M. Regulation of these areas will take into consideration the function of the area, the  
potential environmental costs of alterations, the sensitivity of the area to disturbance, and  
the intensity and potential risks associated with a proposed land use.

N. Promote incentives to conserve and restore habitats, including:

1. Include incentives for habitat enhancement in Fish and Wildlife Habitat  
Conservation Areas regulations.

2. Update and maintain a habitat corridor map to direct programs and funding to  
landscapes that connect Fish and Wildlife Habitat Conservation Areas.

3. Update the Open Space Current Use Public Benefit Rating System to prioritize rare  
and valuable habitats and species that are at risk of alteration or loss and that lack  
regulatory protection. Ensure the program includes clearly defined outcomes and  
measurable and verifiable requirements.

O. Ensure the County coordinates its own programs with those of other public and private  
organizations to enhance management of Critical Areas in Island County.

P. When considering changes to development regulations and planning policies  
consideration should be given to policies and regulations which encourage the creation,  
linkage and maintenance of large blocks of uninterrupted forest cover.

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1     Q. When a violation of the policies and regulations of this area is identified, the  
2     enforcement action and severity of any penalty will be proportional to the nature and  
3     circumstances of the violation and the damage or risk to private and public resources.

### ***Frequently Flooded Areas***

#### **Goal:**

4     **To protect the public health, safety and welfare, and to minimize public and private**  
5     **losses due to flood conditions in frequently flooded areas.**

#### **Policies:**

- 6     A. Reduce the potential for physical injury and damage to public and private property  
7     from flooding by minimizing impacts of upstream land uses.
- 8         1. Protect natural water storage areas and drainage systems, including wetlands,  
9         streams and lakes, to reduce downstream flooding.
- 10        2. Ensure new development above identified thresholds minimizes additional runoff  
11        by limiting impervious surfaces, unnecessary grading and compaction of soils,  
12        and preserving areas of undisturbed vegetation.
- 13        3. Ensure new development above identified thresholds is accompanied by  
14        appropriate stormwater facilities, such as detention ponds, infiltration facilities,  
15        and other measures to maintain rates of runoff at pre-development levels.
- 16        4. Impose standards for construction in frequently flooded areas to minimize the  
17        potential for physical injury and property damage.
- 18     B. Maps, site-specific studies, and information collected by other agencies available for  
19     public review will be made readily accessible to potential and existing landowners,  
20     interested citizens, and development interests to aid in the protection of these areas.
- 21     C. When a violation of the policies and regulations of this area is identified, the  
22     enforcement action and severity of any penalty will be proportional to the nature and  
23     circumstances of the violation and the damage or risk to private and public resources.
- 24     D. Development regulations shall be implemented in addition to those associated with the  
underlying land use designation.
- E. Regulations for frequently flooded areas are contained in the ICC 17.02.

### ***Geologically Hazardous Areas (Steep/Unstable Slopes) Overlay***

#### **Goal:**

20     **To protect the public health, safety and welfare from threats resulting from**  
21     **incompatible development being sited on or near steep and/or unstable slopes.**

#### **Policies:**

- 22     A. Minimize damage to life, health, property, and natural resources caused by geological  
23     processes.



Open Space Corridors. The protection or conservation of individual areas of wildlife habitat are not sufficient for the protection of many species. These species require areas sufficient to permit migratory patterns, access to water, and access to seasonal forage areas. The preservation of natural and man-made corridors can serve this purpose. Conversely, seemingly minor intrusions into existing corridors can have significant unforeseen impacts. Natural lands corridors also serve important functions for humans, providing walking, jogging or cycling paths, or scenic vistas.

The identification of open space corridors within cities and Urban Growth Areas is of particular importance in meeting the requirements of GMA. Such corridors will include streams and their associated buffer areas, shorelines and intertidal areas, utility transmission paths, non-motorized trails, and scenic roadways. The comprehensive plans of several incorporated areas within the county have identified areas that may be important as open space corridors. These corridors may be located within city limits, or within UGAs, or within the broader Joint Planning Areas cooperatively identified between the county and the various communities. Map 4-2 Illustrative Habitat Conservation Concept in the Parks and Recreation Element identifies the open space corridors within and between for the the Urban Growth Areas associated with the cities of Langley and Oak Harbor. The map also conceptually identifies public lands, lands protected by conservation easements, and potential habitat corridors. Map 1 identifies the open space corridors for the Urban Growth Areas of the cities of Langley and Oak Harbor. The town of Coupeville does not have an Urban Growth Area.

In addition to meeting GMA requirements, the identification, protection and possible restoration of stream corridors can have significant positive impacts in adding or maintaining habitat for several salmonid species, including Coho, Chinook, Chum and Cutthroat Trout. Several streams on Whidbey and Camano Islands have been identified as having high or moderate potential for salmonid habitat, subject to appropriate restoration efforts. *Figure 1* lists streams that have been identified as suitable candidates for stream restoration efforts.

**Figure 1 Streams Recommended for Restoration**

LOCATION	STREAM	EST. LENGTH (MI.)	RESTORATION POTENTIAL
Camano Island	Chapman Creek	1.8	high
	Kristoferson Creek	2.6	moderate
	Carp Lake Creek	1.6	moderate
	Cavalero Beach Creek	1.1	moderate
	Madrona Beach Creek	1.7	moderate
Whidbey Island	Glendale Creek	2.4	high
	Cultus Bay Creek	1.9	high
	Maxwelton Creek	4.25	high
	Randall Point	1.1	high
	Deer Creek	1.6	high
	Swantown Creek	2.8	high
	Lone Lake Creek	4.1	high
Coupeville	North Bluff Creek	1.7	moderate
Oak Harbor	Crescent Harbor Creek	2.5	moderate

1 **Map 1 (See Map 2 in the Parks and Recreation Element) UGA Joint Planning Area, Open Space Corridors**

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